

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

K.S., et al.,

Plaintiffs,

v.

The City of New York, et al.,

Defendants.

21-CV-4649 (JSR)

K.S., et al.,

Plaintiffs,

v.

The New York City Department of
Education, et al.,

Defendants.

24-CV-3390 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

WHEREAS, the parties requested and were granted an adjournment of 30 days of the summary judgment schedule for the

purposes of finalizing the terms of the stipulations and related documents relating to a settlement in principle of claims for monetary damages, equitable relief and attorney's fees raised by Plaintiffs in the above-captioned actions consolidated for pretrial purposes (ECF No. 312);

WHEREAS, on June 30, 2025, the parties requested an extension of the Court's May 29, 2025 order (ECF No. 312) for another 45-days, for the purposes of finalizing the terms of the stipulations and related documents relating to the settlement of claims for monetary damages, equitable relief and attorney's fees raised by Plaintiffs in the above-captioned actions consolidated for pretrial purposes;

IT IS THEREFORE ORDERED:

1. The Plaintiffs' claims for monetary damages will remain dismissed without prejudice until August 14, 2025 (45 days) ("Dismissal Period II");

2. If the parties have not submitted a stipulation of settlement to the Court by August 14, 2025, the claims raising monetary damages will be automatically reinstated and reopened and the Court will set a schedule for completion of the case;

3. The statute of limitations on all claims raising monetary damages will continue to be tolled during the Dismissal Period II;

4. The remaining claims for equitable and injunctive relief will not be dismissed during the Dismissal Period II;

5. The parties have advised the Court that (a) Plaintiffs have two separate settlement arrangements with each group of Defendants; and (b) the provisions relating to the settlement of equitable special education-related relief for Plaintiffs provided by the City Defendants rests on the Court's retention of jurisdiction over that portion of the settlement; and (c) Plaintiffs and the City Defendants have submitted a close-to-final stipulation of dismissal and settlement agreement ("Draft Stipulation") for the Court's consideration and review.

6. The Court reserves judgment on whether the Court will agree to retain jurisdiction beyond 30 days as set forth in the Court's Individual Rules, upon review of the Draft Stipulation submitted by the parties on July 1, 2025.

7. There will be no further extensions or adjournments for settlement.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Jed S. Rakoff", is written over a solid black horizontal line.

JED S. RAKOFF, U.S.D.J.

Dated: New York, New York

July 7, 2025